

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ESTATE OF FAITH ROGERS and )	CV 07-00373HG-KSC
MICHELLE ROGERS, )	
)	
Plaintiffs, )	ORDER ADOPTING
)	MAGISTRATE'S FINDINGS AND
vs. )	RECOMMENDATION THAT THE
)	SETTLEMENT BETWEEN FRANK
AOAO MALUNA KAI ESTATES, a )	AND GLADYS SMIRKE AND
Hawaii unincorporated )	PLAINTIFFS WAS MADE IN
association, KENT D. )	GOOD FAITH
KNOWLEY, DONALD J. ESSES, )	
JAMES W. BOWMAN, DIANE M. )	
BOWMAN and DOE DEFENDANTS )	
1-20, )	
)	
Defendants. )	
_____ )	
)	
AOAO MALUNA KAI ESTATES, )	
KENT D. KNOWLEY, JAMES W. )	
BOWMAN, DIANE M. BOWMAN, )	
AND DONALD J. ESSES, )	
)	
Third-Party Plaintiffs )	
)	
vs. )	
)	
FRANK SMIRKE, GLADY'S )	
SMIRKE, ANNE WHITE, )	
STEWART WHITE and BRYCE )	
WHITE, )	
)	
Third-Party Defendants. )	
_____ )	
)	
ANN WHITE, STUART WHITE )	
and BRYCE WHITE, )	
)	
Fourth-Party Plaintiffs )	
)	
vs. )	

MICHELLE ROGERS, )  
 )  
Fourth-Party Defendant. )  
\_\_\_\_\_ )

ORDER ADOPTING MAGISTRATE'S  
FINDINGS AND RECOMMENDATION THAT THE SETTLEMENT BETWEEN  
FRANK AND GLADYS SMIRKE AND PLAINTIFFS WAS MADE IN GOOD  
FAITH

Findings and Recommendation having been filed and served on all parties on February 2, 2009, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the Findings and Recommendation (Doc. 169) are adopted as the opinion and order of this Court.

IT IS SO ORDERED.

DATED: March 10, 2009, Honolulu, Hawaii.



/s/ Helen Gillmor  
Chief United States District Judge